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CONGRESSMAN TONY P. HALL INTRODUCES RESOLUTION CONCERNING EAST TIMOR

HON. TONY P. HALL

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 28, 1982

● Mr. HALL of Ohio. Mr. Speaker, today I am introducing a resolution expressing the sense of Congress concerning the situation in East Timor. An identical resolution is being introduced in the other body by Senator PAUL E. TSONGAS.

East Timor is located on an island about 300 miles off the northeastern tip of Australia. It was a Portuguese colony for 400 years before briefly tasting independence in August 1975. Unlike other former colonies, East Timor was not given the chance to determine its own future. On December 7, 1975, Indonesian troops, equipped with American weapons, invaded the territory. East Timor has remained under the brutal rule of Indonesia since that time.

The fragile economy of East Timor could not survive the armed struggle between its people and the invaders. Moreover, the policies pursued by Indonesia to crush opposition helped to create a catastrophic famine that proportionally was among the worst in this century.

Within 2 months of the invasion, tens of thousands of East Timorese were reported to have been killed, and there were reports of burning, torture, and looting by Indonesian troops. The situation continued to deteriorate, as described in the following passage from the English Catholic Institute for International Relations' "Comment" article on East Timor:

> These direct casualties, however, were only the beginning. In response to continuing resistance the Indonesian military forced the population into strategic hamlets and bombed mountain areas inaccessible to ground troops. These tactics prevented the Timorese from supporting themselves by agriculture, with the result that in 1978 famine aggravated the effects of injury, disease and displacement. In 1978 and 1979 100,000 Timorese streamed down from the mountains, many dying of hunger. Experienced relief workers who took part in the severely restricted relief operations subsequently permitted by the Indonesians compared the situation with that of Kampuchea. Statistics for Timor are inevitably unreliable, but the scale of the suffering of the Timorese is sufficiently indicated by the estimate that of a pre-independence population of around 670,000, more than 100,000 have died.

In response to the ongoing crisis in East Timor, hearings were held by several congressional subcommittees every year between 1977 and 1980. As a member of the House Foreign Affairs Committee in the 96th Congress, I participated in hearings related to East Timor in 1979 and 1980.

In view of the urgent humanitarian crisis that was confronting the people of East Timor, the focus of the House Foreign Affairs Committee's attention was to insure that relief was provided and that access by the outside world to East Timor was increased.

I introduced an amendment to the International Security and Development Cooperation Act of 1980 concerning the tragic situation in East Timor. The measure I introduced expressed the sense of Congress that the President should take action to encourage the Indonesian Government to allow increased access to East Timor for international relief organizations and to permit them to establish relief operations directly in East Timor. It also sought to encourage the Indonesians to allow free emigration from East Timor, particularly in the case of families whose members had already left the territory while others remained behind.

The amendment was adopted unanimously by the Subcommittee on Asian and Pacific Affairs. It eventually became section 408 of Public Law 96-533. The full text of section 408 follows:

PUBLIC LAW 96-533

EAST TIMOR

Section 408. It is the sense of the Congress that the President should take all appropriate measures to—

(1) continue to support and encourage relief operations by the Government of Indonesia and by international relief agencies in East Timor;

(2) assist the Government of Indonesia to facilitate the reuniting of families separated because of development in recent years in East Timor; and

(3) encourage the Government of Indonesia to allow access to East Timor by international journalists.

In mid-1979, the Indonesian Government permitted the International Committee of the Red Cross (ICRC) and the Catholic Relief Service (CRS) to begin programs of emergency food and medical relief. According to the State Department, these two relief programs provided food and medical assistance to 330,000 persons in East Timor. Eventually, the severe humanitarian crisis facing East Timor was eased. The CRS ended its relief operations on December 31, 1980, and ICRC ended its relief operations on April 15, 1981. However, both groups are still working on other humanitarian services with respect to East Timor.

Although the grave emergency in East Timor appears to have passed, it is clear that basic human needs and human rights problems face the East Timorese. As the present Country Reports on Human Rights Practices notes:

> Much of the current international interest in human rights in Indonesia is focused on allegations of abuses in East Timor. These include allegations of disappearances, killings, and large scale detentions. The Indonesian government denies that abuses have occurred, and it is difficult to independently confirm or deny those allegations.

The reason that it is difficult to substantiate charges about the situation in East Timor is that the Indonesians continue to strictly limit access to East Timor and the free flow of information from the territory. It is evident that East Timor is a sensitive issue to the Indonesians, and they are most selective about whom they admit to the area. Further, they are careful about what they permit outside visitors to see.

Unfortunately, the sense of Congress about East Timor expressed in section 408 of Public Law 96-533 remains to be implemented. It is both necessary and appropriate for Congress to state its concern about the humanitarian and political issues involving the people of East Timor.

Senator TSONGAS and I are introducing a resolution expressing policies the administration should take with respect to the present situation in East Timor. At this point, I would like to discuss the four key elements of our legislation.

I. INCREASED ACCESS TO EAST TIMOR BY INTERNATIONAL RELIEF AGENCIES

Currently, there is no full-time on the ground operation in East Timor by any international relief agency. The position of the Indonesian Government is that there is no famine in East Timor and no need for international agencies to be present there to oversee the distribution of relief.

Late last year, Msgr. Martinho da Costa Lopes, the Roman Catholic bishop of East Timor, warned of food shortages and the possibility of famine unless sufficient international food aid reached East Timor. The bishop's concerns have been rejected by the Indonesians and by an Australian delegation headed by former prime minister Gough Whitlam which was taken on a tour of East Timor by the Indonesians. According to the Far Eastern Economic Review, Whitlam went so far as to claim that the bishop of East Timor had perpetrated a wicked act by his alleged misinformation about the food situation in the territory.

Notwithstanding the efforts to discredit the statements made by the bishop of East Timor, it is evident that there is justification for international concern about the prospect of food shortages in East Timor. Assurances from Gough Whitlam and the Indonesian Government are not enough to allay the fears of the outside world. Limited, circumscribed visits by international relief agencies also are insufficient. Only a full-time presence in East Timor by international relief agencies can provide adequate guarantees with respect to the current status of food and medicine in the territory. In addition, a neutral international presence there could offer some form of protection for the East Timorese people.

Concerned outside observers should not be forced to choose between the reports from church sources and those from individuals conducted through East Timor by the Indonesians. Let impartial humanitarian organizations with full-time access to the territory be permitted to assess the actual situation. If the circumstances are truly as the Indonesians claim, then they should welcome such verification.

II. THE REUNIFICATION OF FAMILIES

In view of the developments in East Timor since the Indonesian invasion, many hundreds of East Timorese have sought to emigrate. Reports in the media in recent years have indicated how extremely difficult it is for these persons to get out of East Timor. Those leaving often must pay exorbitant bribes to the Indonesians.

Both Portugal and Australia have sought to facilitate family reunifications, but the response from Indonesia has been sluggish. The Country Re-

ports on Human Rights Practices for 1981 says that "movement on the repatriation front has been slow over the past year."

Particularly disturbing were reports last fall that 22 East Timorese were arrested for trying to leave East Timor illegally. These individuals, legally Portuguese citizens, reportedly had tried to secure exit permits. After the Indonesian Government refused to issue the necessary documents, the Timorese attempted to use false papers. This is consistent with other reports of East Timorese who have managed to get to Jakarta and then had to wait months before they could get out of Indonesia—and then, only after bribing officials.

The Universal Declaration of Human Rights says the following with respect to the right to freedom of movement:

ARTICLE 13

(1) Everyone has the right to freedom of movement and residence within the borders of each state.

(2) Everyone has the right to leave any country, including his own, and to return to his country.

Most of the world is aware that this right is not observed in countries like the Soviet Union. The world also should note that this basic human right is not being observed by the Indonesians with respect to the people of East Timor.

Congress expressed its concern about this matter in Section 408 of Public Law 96-533. It indeed is unfortunate that Congress must reiterate this concern today.

III. ACCESS BY INTERNATIONAL JOURNALISTS AND INTERNATIONAL HUMAN RIGHTS GROUPS

With respect to freedom of the press generally in Indonesia, the Country Reports on Human Rights Practices for 1981 observes:

The press is carefully controlled in Indonesia, and an implicit system of "self-censorship," with journalists and publishers recognizing the limits of permissibility, generally prevails.

• • • The government is, furthermore, sensitive to foreign press coverage of Indonesian developments, and this had led to its refusal to extend residence permits for foreign journalists in some instances.

The press control within Indonesia certainly extends to the treatment of press access to East Timor. Ever since the invasion of East Timor, the Indonesians have been highly selective in admitting the media to the territory. It is fair to conclude that the Indonesians do not want foreign journalists moving freely about East Timor.

The Indonesians also have failed to have an open attitude concerning international and nongovernmental investigation of alleged violations of human rights in East Timor. On this point, the Country Reports declares that Indonesia "has been more restrictive in granting access to East Timor by outside observers during the past year than in 1980."

On November 19, 1981, the bishop of East Timor wrote a letter to the Secretary of the Australian Episcopal Conference in which he described atrocities committed by Indonesian troops against the people of East Timor. The bishop wrote the following:

At present, the social and political situation in East Timor is indeed tragic. With the military operation of cleaning Fretelin during July, August and September 1981 many Timorese people were killed, including the innocent children, the pregnant women and the defenceless people without any crime except the willing to be independent from all oppression. Therefore, the Catholic Church, running all risks, had to denounce to the world the atrocities committed during four days of the seige near the famous rock of S. Anthony in Lacluta, where more than five hundred Timorese were killed.

Charges of this kind should be investigated by outside human rights groups. Once again, it is appropriate to ask why the Indonesians do not want international journalists and international human rights organizations to have free access to East Timor. If Indonesia is proud of its conduct in East Timor and its treatment of the people, why is it unwilling to open up East Timor to impartial outside observation?

It is time for the Congress to call upon the administration to encourage the Indonesians to lift the khaki curtain they have dropped on East Timor.

IV. SELF-DETERMINATION FOR THE PEOPLE OF EAST TIMOR

The invasion of East Timor by Indonesian troops in December 1975, prevented the people of East Timor from determining their own future. They were simply overwhelmed by a superior military force, and there was nothing they could do to stop this act of aggression.

Just as the United Nations has condemned the act of aggression by Argentina against the Falkland Island, it condemned the Indonesian invasion of East Timor. Since the invasion, the United Nations General Assembly has passed annual resolutions calling for self-determination and a change in the political status of East Timor.

It should be noted that Portugal has not formally renounced sovereignty over East Timor. The Portuguese view is that East Timor has not yet exercised its right of self-determination and that Portugal has a continuing responsibility to assist the territory to independence. Portugal does not have diplomatic relations with Indonesia.

The United States, however, recognizes the incorporation of East Timor into Indonesia. The United States has opposed the resolutions in the United Nations General Assembly concerning self-determination for East Timor because of the belief that the resolutions are counterproductive to efforts on humanitarian issues with the Indonesians in East Timor.

Nevertheless, there is international momentum building for the view that political justice is the only real solution to the tragedy of East Timor. As the Times of London stated in an editorial of February 24, 1982:

Indonesia has obviously not won over the hearts and minds of the East Timorese, and her very unwillingness to allow independent observers access to the territory corroborates that. A solution based on negotiations and the free choice of the inhabitants is urgently needed and the international community—particularly those countries which have close economic and military ties with Indonesia, including Britain—should make a much more serious effort to achieve one.

The Reagan administration has the opportunity to bring a fresh approach to the problem of East Timor. It should encourage the Government of Indonesia to agree to negotiations through which Indonesian troops will be withdrawn from East Timor and the people of East Timor permitted to freely exercise their internationally recognized right of self-determination.

When Argentina seized the Falkland Islands, the U.S. reaction was to work to mediate the dispute and seek a peaceful resolution of the crisis. Similarly, the United States should seek an end to the military occupation and rule of East Timor by Indonesia, and work to establish a framework for peaceful self-determination for the East Timorese.

Under international law, Indonesia had no right to annex East Timor. Like the Baltic States under Russian rule, East Timor has become a captive nation under Indonesian rule.

Truly, the people of East Timor have much in common with the captive nations of the new Russian Empire. Just as the Russians have consistently worked to destroy the previous national identities of the countries annexed into the U.S.S.R., the Indonesians have sought to forcibly assimilate the East Timorese into the Indonesian culture. The world must not turn its back and let East Timor become just another province of Indonesia.

The resolution I am introducing in the House does not attempt to provide any blueprint for self-determination for East Timor. Instead, it calls upon the administration to set in motion discussions and negotiations that can lead to the withdrawal of Indonesian troops and the initiation of the process leading to self-determination.

Several of my colleagues have called for negotiations and the use of intermediaries to reduce tensions in Central America. In a similar spirit, this resolution seeks creative diplomatic initiatives by the administration to achieve justice for East Timor.

CONCLUSION

For many years, the United States has regarded Indonesia as an important ally. It is clear that there are many political, economic, and military links between the two countries. In fiscal 1981, for example, the United States concluded over $45 million worth of foreign military sales agreements with Indonesia.

Our friendship with the people of Indonesia is not incompatible with our concern for the plight of the people of East Timor. However, we must not let our friendship with Indonesia prevent us from raising with the Indonesians our conerns about the humanitarian and political problems of East Timor.

The resolution Senator TSONGAS and I are introducing expresses the sense of Congress that the administration should work with Indonesia to open up East Timor to the outside world and to permit the fullest possible international participation in the human rights and human needs issues facing the territory. At the same time, it urges the administration to take a fresh look at the underlying political causes of these issues. The time is at hand for innovative diplomacy on the political status and future of East Timor.

For the benefit of my colleagues, the text of the resolution follows:

H. CON. RES. 321

Whereas many tens of thousands of East Timorese have died, either directly as a result of military operations or from consequent famine and disease, since the invasion and occupation of East Timor by the Government of Indonesia;

Whereas the threat of serious food shortages and continued medical problems persists in East Timor;

Whereas reports of violations of human rights in East Timor continue to be brought to international attention;

Whereas many hundreds of East Timorese have been prevented from emigrating from East Timor;

Whereas the Government of Indonesia has strictly limited access to East Timor and the free flow of information from the territory;

Whereas the people of East Timor have not been permitted to freely exercise their right of political self-determination recognized under the United Nations Charter; and

Whereas since 1975 the United Nations General Assembly has consistently condemned Indonesia's unilateral annexation of East Timor: Now, therefore, be it *Resolved by the House of Representatives (the Senate concurring)*, That it is the sense of the Congress that the President should take all appropriate measures to—

(1) encourage the Government of Indonesia to allow appropriate international relief agencies increased access to East Timor and to allow such agencies to establish full-time humanitarian relief operations in East Timor;

(2) encourage and assist the Governments of Indonesia, Portugal, and Australia to facilitate the reunification of families separated because of development in East Timor, and encourage the involvement of appropriate international agencies in this process;

(3) encourage the Government of Indonesia to allow free access to East Timor by international journalists and international human rights organizations; and

(4) encourage the Government of Indonesia to agree to negotiations through which Indonesian troops will be withdrawn from East Timor and the poeple of East Timor will be permitted to freely exercise their internationally recognized right to self-determination.